

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, the claims have been amended for clarity.

Applicants believe that the above changes answer the Examiner's 35 U.S.C. 112, paragraph 2, rejection of the claims and respectfully request withdrawal thereof.

Applicants further believe that the above changes answer the Examiner's 35 U.S.C. 101 rejection of the claims, and respectfully request withdrawal thereof.

The Examiner has rejected claims 1, 5, 9, 11, 12 and 14 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,694,023 to Kim. Applicants acknowledge that the Examiner has allowed claims 29 and 30.

The Kim patent discloses a method and apparatus for protecting copyright of digital recording medium and copyright protected digital recording medium, in which, in order to form, for example, a DVD-ROM, the data to be stored on the DVD-ROM is encrypted, the encrypted data is stored, and a cipher key necessary for the decrypting of the data is stored in an area of the DVD-Rom which is not allowed to be copied.

As noted in MPEP § 2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir.

1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

First, the subject invention pertains to a method for storing user data on a rewritable data storage medium, a recorder and player of user data on a rewritable data storage medium, and a rewritable data storage medium. Applicants submit that Kim neither discloses nor suggests such a rewritable data storage medium nor the recording of user data on such a rewritable data storage medium. Rather, Kim relates to the manufacturing of a ROM-type disk, and as such, there is no provision for recording of user data.

Further, the subject invention includes "verifying the system data stored in the recordable data area using the stored cryptographic summary" and "enabling reading and/or recording of user data in dependence on the verifying step". Applicants submit that Kim neither discloses nor suggests these steps. Rather, Kim discloses the identification of a particular cryptographic table using the key stored in the BCA area of the disk, and using the designated cryptographic table to decrypt the stored data.

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1, 3-9, 11, 12, 14 and 25-30, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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